



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** PZDS14-00027 (Related to Rezoning Application PZRZ14-00027)  
**Application Type:** Detailed Site Development Plan Review  
**CPC Hearing Date:** August 28, 2014  
**Staff Planner:** Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

**Location:** 820 Redd Road  
**Legal Description:** A portion of Lot 27, Block 123, Chaparral Park Subdivision Unit 33, City of El Paso, El Paso County, Texas  
**Acreage:** 2.571 acres  
**Rep District:** 1  
**Existing Zoning:** A-O/c (Apartment/Office/condition) and C-1/c (Commercial/conditions)  
**Existing Use:** Daycare  
**C/SC/SP/ZBA/LNC:** Condition: Ordinance No. 010264 dated October 23, 1990 (see Attachment #4)  
Conditions: Ordinance No. 017250 dated December 15, 2009 (see Attachment #5)  
**Request:** Detailed Site Plan Review per Ordinance No. 010264 dated October 23, 1990 and Ordinance No. 017250 dated December 15, 2009  
**Proposed Use:** Retail

**Property Owner:** George M. Dipp, Jr.  
**Representative:** Bearing Development, LLC

### **SURROUNDING ZONING AND LAND USE**

**North:** C-1/c (Commercial/conditions) / Retail  
**South:** R-3 (Residential) / Vacant, Single-family dwellings  
**East:** C-1/c (Commercial/condition) / Medical Office  
**West:** R-3/A (Residential) / Single-family dwellings

**PLAN EL PASO DESIGNATION:** G-4, Suburban (Walkable) (Northwest Planning Area)

**NEAREST PARK:** Francisco Delgado Park (3,685 feet)

**NEAREST SCHOOL:** Franklin High School (1,413 feet)

### **NEIGHBORHOOD ASSOCIATION**

Upper Valley Improvement Association  
Upper Mesa Hills Neighborhood Association  
Coronado Neighborhood Association  
Save the Valley

### **NEIGHBORHOOD INPUT**

Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, Notice of the El Paso City Code.

### **CASE HISTORY**

On October 23, 1990, City Council approved a rezoning request for a portion of the subject property from R-3 (Residential) to A-O/c (Apartment/Office/condition) and imposed a condition by Ordinance No. 010264 (see Attachment #4) as follows:

*Prior to the issuance of a building permit for Parcel A, B, C, or E, a detailed site development plan must be reviewed by City Plan Commission and approved by City*

*Council for each parcel requiring the permit.*

The condition will be satisfied by this detailed site development plan application.

On December 15, 2009, a portion of the subject property was rezoned from A-O/c (Apartment/Office/condition) to C-1/c (Commercial/conditions) with the following conditions imposed by Ordinance No. 17250 (Attachment #5):

*1. A detailed site development plan be reviewed and approved per the City Code prior to the issuance of any building permits.*

Condition #1 will be satisfied by this detailed site development plan application.

*2. The following uses are prohibited: automotive uses and commercial fueling station.*

Condition #2 is not applicable as the proposed use is new retail development.

*3. A 20' landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten (10') in height shall be placed at fifteen (15') on center along the westerly property line. The landscaped buffer shall be in addition to the landscape requirements of the city code and shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.*

Condition #3 has been satisfied as shown on detailed site development plan.

*4. A building setback shall be required from the easterly boundary of the 15-foot drainage easement to the westerly property line of the property. The area shall be landscaped and shall not include parking. The landscape shall be in addition to the landscape requirements of the city code and shall be installed prior to any certificates of occupancy.*

Condition #4 has been satisfied as shown on detailed site development plan.

#### **APPLICATION DESCRIPTION**

The request is for a detailed site development plan review as required by Ordinance No. 010264 dated October 23, 1990 (see Attachment #4) and Ordinance No. 017250, dated December 15, 2009 (see Attachment #5). The detailed site development plan shows new 10,800 sq. ft., 6,000 sq. ft., and 4,100 sq. ft. 1-story retail buildings, 38 ft. 2 in. in height. A maximum of 35 feet in height is permitted, however, a structure may exceed 35 feet in height when an additional setback of one foot is provided from all adjacent yardlines for each foot of height in excess of 35 feet; the plan complies with the city code requirement. The development requires a minimum of 70 parking spaces and the applicant is providing 81 parking spaces and 9 bicycle spaces. The additional conditions imposed on subject property require a twenty (20) foot wide landscaped buffer abutting the residential district to the west and a building setback of 15 feet to the drainage easement at the westerly property line as shown on the detailed site development plan. Access to the subject property is proposed from Redd Road. This application is related to rezoning application PZRZ14-00027.

#### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **APPROVAL** of the detailed site development plan request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan, and complies with the Plan El Paso land use designation G-4, Suburban - walkable in the Northwest Planning Area.

#### **ANALYSIS**

20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

*Note: Detailed Site Development Plan review is required due to conditions imposed on the subject property.*

#### 20.04.150 Procedure.

C. Administrative approval. Detailed site development plans meeting the following conditions shall be reviewed and approved by the zoning administrator:

1. The site is two acres or less in size, and
2. The site plan contains no more than two buildings, and
3. The site plan complies with any zoning conditions and all city code provisions, to include the tables for uses and density and dimensional standards and;
4. The city's department of transportation has no concerns with access or restriction of access to the site; and,
5. The site plan complies with staff recommendations concerning the location of stormwater drainage structures and easements to include onsite ponding areas; the location and arrangement of structures, vehicular and pedestrian ways; open spaces and landscape planted areas. Staff recommendations shall not require that the site plan have landscaping in excess of what is required under the city code or any zoning condition.

If the zoning administrator does not approve an applicant's detailed site development plan, the applicant may appeal the decision to the city plan commission. The applicant must file the appeal with the zoning administrator within fifteen business days from the date of the zoning administrator's decision. The zoning administrator shall place the appeal on the city plan commission agenda to be heard by the commission within thirty business days from the date the appeal was received. The zoning administrator shall include the detailed site plan, the appeal, and a summary of the zoning administrator's reasons for disapproving the detailed site plan.

*Note: the detailed site development plan review is not eligible for administrative approval, due to a condition imposed on the subject property.*

D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.

1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and stormwater drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.

5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

*Planning Staff has reviewed the detailed site development plan, and it meets all requirements of 20.04.150, Detailed Site Development Plan, and is recommending approval.*

#### **Plan El Paso- Future Land Use Map Designation**

All applications for detailed site plan review shall demonstrate compliance with the following criteria:

G-4, Suburban (Walkable): This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the C-1 (Commercial) district is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

#### **COMMENTS:**

##### **Planning Division – Transportation**

No objections.

General Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

##### **City Development Department – Building and Development Permitting**

No objections to proposed detailed site development plan.

##### **City Development Department – Building and Development Permitting - Landscaping**

No objections.

##### **City Development Department - Land Development**

No objections.

##### **Fire Department**

Recommend Approval of Detailed Site Plan Application as presented.

Note: In accordance with the requirements of the Zoning Code Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted “Detailed Site Plan for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, Number of dwelling units in Multi- family structures, and Driveways as applicable to following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems.

When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments.

The Fire Planning Division has reviewed the submitted Detailed Site Plan Application as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES comply within the zoning regulations.

### **Sun Metro**

Sun Metro does not oppose this request. Rt. 19 provides services along Redd Rd. Closes bus stop is approximately 0.08 miles northwest of subject property.

### **El Paso Water Utilities**

EPWU does not object to this request.

#### **Water:**

1. There is an existing 12-inch diameter water main extending along Redd Road that is available for service, the water main is located approximately 27-ft north from the center line of the right-of-way.
2. There is an existing 30-inch diameter transmission water main extending along Redd Road, the water main is located approximately 35-ft north from the center line of the right-of-way. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
3. EPWU records indicate an active 3/4-inch water meter serving the subject property. The service address for this meter is 820 Redd Road.

#### **Sanitary Sewer:**

There is an existing 12-inch diameter sanitary sewer main extending along Redd Road that is available for service, the sewer main is located approximately 20-ft south from the center line of the right-of-way.

#### **General:**

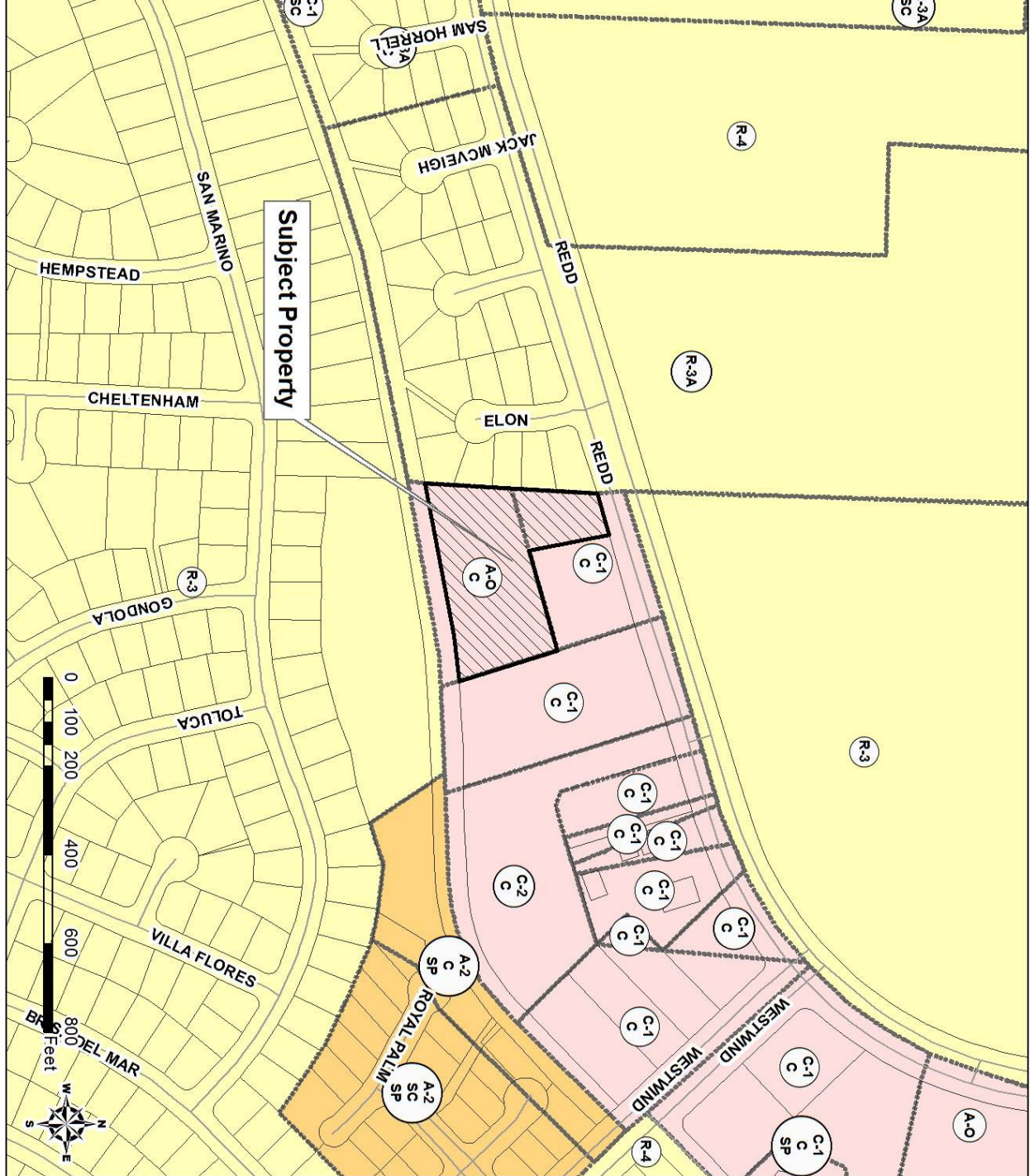
EPWU requires a new service application to provide additional service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

### **Attachments**

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Ordinance No. 010264, dated October 23, 1990
5. Ordinance No. 017250 dated December 15, 2009

ATTACHMENT 1: ZONING MAP

PZDS14-00027





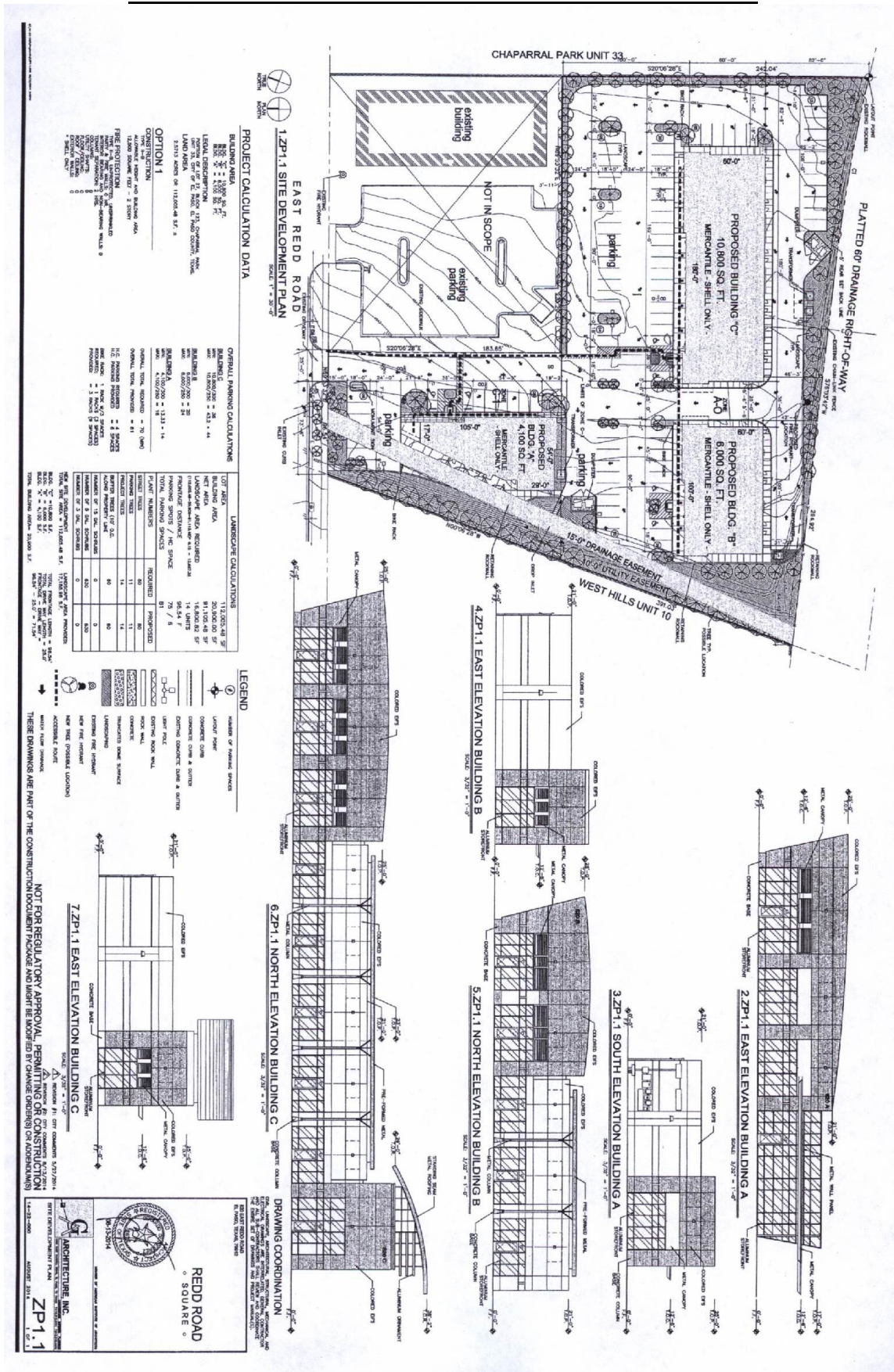
ATTACHMENT 2: AERIAL MAP

PZDS14-00027





# ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN





ATTACHMENT 4: ORDINANCE NO. 010264, DATED OCTOBER 23, 1990

010264

AN ORDINANCE CHANGING THE ZONING OF  
PORTIONS OF H. G. FOSTER SURVEY #256  
AND IMPOSING CERTAIN CONDITIONS.  
THE PENALTY BEING AS PROVIDED IN  
SECTION 20.68.010 OF THE EL PASO CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of H. G. Foster Survey #256, as more particularly described by metes and bounds in the attached Exhibit "A", be changed as follows:

From R-3 to A-0 (Apartment/Office) Parcel A (6.676 ac.)  
(to permit apartments/offices)

From R-3 to C-1 (Commercial) Parcel B (10.032 ac.) (to  
permit commercial uses)

From R-3 to C-1 (Commercial) Parcel C (6.489 ac.) (to  
permit commercial uses)

From R-3, A-2 and C-1 to R-4 (Residential) Parcel D  
(9.042 ac.) (to permit single-family/duplexes)

From R-3 to A-2 (Apartment) Parcel E (1.697 ac.) (to  
permit apartments and church use)

within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

That the property be subject to the following condition which is necessitated by and attributable to the increased intensity of use generated by the changes of zoning, in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

Prior to the issuance of a building permit for Parcel A, B, C, or E, a detailed site development plan must be reviewed by City Plan Commission and approved by City Council for each parcel requiring the permit.

This condition runs with the land, is a charge and servitude thereon, and binds the current property owner and any successors in

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90-5601

title. The City may enforce this conditions by injunction, by rescission of the zoning which is made appropriate as a result of this condition, or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above condition in its discretion without the consent of any third person who may be benefitted thereby, and without affecting the validity of this ordinance.

PASSED AND APPROVED this 23d day of October, 1990.

THE CITY OF EL PASO

[Signature]  
Mayor

ATTEST:

[Signature]  
City Clerk

I certify that the zoning map has been revised to reflect the amendment of ordinance # 10264  
By [Signature] Date 3-22-91

APPROVED AS TO FORM:

[Signature]  
Assistant City Attorney

APPROVED AS TO CONTENT:

[Signature]  
Roy Gilyard  
Department of Planning, Research  
and Development

I CERTIFY THAT THE FOLLOWING ZONING MAPS  
HAVE BEEN REVISED: 7-9-90  
3-22-91 COUNTER  
3-22-91 ORIGINAL  
3-22-91 Bldg. Inspection  
7-10-91 CONTROL

[Signature]

(ACKNOWLEDGEMENT ON NEXT PAGE)

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ACKNOWLEDGEMENT

THE STATE OF TEXAS   )  
                                  )  
COUNTY OF EL PASO    )

      This instrument is acknowledged before me on this \_\_\_\_\_ day  
of \_\_\_\_\_, 1990, by SUZANNE S. AZAR, as Mayor of the  
CITY OF EL PASO.

\_\_\_\_\_  
Notary Public, State of Texas  
Notary's Printed or Typed Name:

My Commission Expires:  
\_\_\_\_\_

CC2/klt  
Z5601.ORD  
11/01/90

010204



PREPARED FOR: Highland Four, Joint Venture  
Being a portion of Tract 2  
H.G. Foster Survey No. 256  
And a portion of the Southerly right-of-way line of Redd Road  
City of El Paso, El Paso County, Texas  
August 14, 1990

PROPERTY DESCRIPTION

( PARCEL " A " )

( PROPOSED ZONING FROM R-3 TO A-0 )

Description of a 6.6755 acre parcel of land being a portion of Tract 2, H.G. Foster Survey No. 256 and a portion of the Southerly right-of-way line of Redd Road, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows to wit;

Starting at the intersection of the centerline of Redd Road and the common Tract line between Tracts 1 and 2, H.G. Foster Survey No. 256, said point being the "TRUE POINT OF BEGINNING"

Thence North 69°53'32" East along the centerline of Redd Road a distance of 527.37 feet to a point;

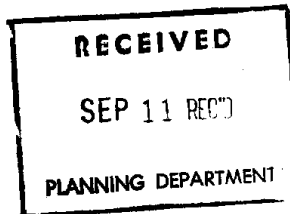
Thence South 20°06'28" East a distance of 547.79 feet to a point lying along the Northerly right-of-way line of a Proposed 60-foot wide drainage right-of-way;

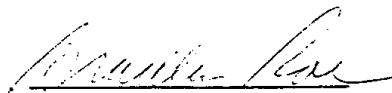
Thence South 85°05'46" West along said Northerly right-of-way line a distance of 188.37 feet to a point;

Thence 211.85 feet along an arc of a curve to the left along said Northerly right-of-way line, whose interior angle is 09°02'04", whose radius is 1343.53 feet, and whose chord bears South 80°34'44" West a distance of 211.63 feet to a point;

Thence South 76°03'42" West along said Northerly right-of-way line a distance of 294.92 feet to a point lying along the common line between Tract 2, H.G. Foster Survey No. 256 and the most Easterly boundary line of the Proposed Falcon Hills Unit Ten Subdivision;

Thence North 00°06'28" West along said common line a distance of 454.88 feet back to the " TRUE POINT OF BEGINNING ", and said parcel containing 290,786.19 square feet or 6.6755 acres of land more or less.



  
Bradley Roe R.F.S. 2449  
D

Doc# 20100001161

10A  
151/4ORDINANCE NO. 017250

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 27, BLOCK 123, CHAPARRAL PARK UNIT 33, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-O/c (APARTMENT-OFFICE/CONDITIONS) TO C-1/c (COMMERCIAL/CONDITIONS) AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of a portion of Lot 27, Block 123, Chaparral Park Unit 33, City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from A-O/c (Apartment-Office/conditions) to C-1/c (Commercial/conditions), within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property be subject to the following conditions which are necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

1. A detailed site development plan be reviewed and approved per the City Code prior to the issuance of any building permits.
2. The following uses are prohibited: automotive uses and commercial fueling station.
3. A 20' landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten (10') in height shall be placed at fifteen (15') on center along the westerly property line. The landscaped buffer shall be in addition to the landscape requirements of the city code and shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.
4. A building setback shall be required from the easterly boundary of the 15-foot drainage easement to the westerly property line of the property. The area shall be landscaped and shall not include parking. The landscape shall be in addition to the landscape requirements of the city code and shall be installed prior to any certificates of occupancy.

PASSED AND APPROVED this 15<sup>th</sup> of December 2009

THE CITY OF EL PASO

John F. Cook  
John F. Cook  
Mayor

ATTEST:

Richarda Duffy Monsen  
Richarda Duffy Monsen  
City Clerk


SIGNATURES CONTINUE ON FOLLOWING PAGE

#52248 v1 - Planning/ORD/ZON09-00056/Rezoning/Gary Porras  
ORDINANCE NO. 017250

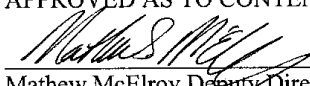
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ZON09-00056

CITY CLERK DEPT.  
09 DEC 29 PM 3:38

APPROVED AS TO FORM:

  
Lupe Cuellar  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
Mathew McElroy Deputy Director  
Development Services Department -  
Planning Division

CITY CLERK DEPT.  
09 DEC 28 PM 2:38

#52248 v1 - Planning/ORD/ZON09-00056/Rezoning/Gary Porras  
ORDINANCE NO. 017250

Document Author: LCUE  
ZON09-00056